

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----x

21-CR-00613(RPK)

UNITED STATES OF AMERICA,

Plaintiff,

United States Courthouse
Brooklyn, New York

-against-

February 15, 2023
10:00 a.m.

ANGEL ALMEIDA,

Defendant.

-----x

TRANSCRIPT OF CRIMINAL CAUSE FOR STATUS CONFERENCE
BEFORE THE HONORABLE RACHEL P. KOVNER
UNITED STATES DISTRICT JUDGE

APPEARANCES

For the Government: BREON S. PEACE
UNITED STATES ATTORNEY'S OFFICE
Eastern District of New York
271 Cadman Plaza East
Brooklyn, New York 11201
BY: WILLIAM CAMPOS, ESQ.
Assistant United States Attorney

For the Defendant: LAW OFFICES OF SABRINA P. SHROFF
233 Broadway
New York, New York 10007
BY: SABRINA SHROFF, ESQ.

CJA Counsel: SAMUEL GREGORY, P.C.
16 Court Street, Suite 2008
New York, New York 11241
BY: SAMUEL GREGORY, ESQ.

Court Reporter: LEEANN N. MUSOLF, RPR, CCR
Phone: 718-613-2489
Email: lmusolf.edny@gmail.com

Proceedings recorded by mechanical stenography. Transcript
produced by computer-aided transcription.

LEEANN N. MUSOLF, RPR, Official Court Reporter

PROCEEDINGS

1 THE COURTROOM DEPUTY: Good morning. Criminal cause
2 for a status conference, Docket Number 21-CR-613, United
3 States of America versus Angel Almedia.

4 Please state your appearances for the record,
5 starting with the government.

6 MR. CAMPOS: For the United States, William Campos
7 standing in for Assistant United States Attorney
8 Chand Edwards-Balfour. Also present at counsel's table,
9 Your Honor, are Special Agent Thomas Satwicz of the
10 Federal Bureau of Investigation and Task Force
11 Officer Sean Queally.

12 THE COURT: Good morning.

13 MS. SHROFF: Good morning, Your Honor.

14 On behalf of Angel Almedia, who is seated to my
15 left, Sabrina Shroff.

16 THE COURT: Great. Good morning.

17 And good morning, Mr. Almeida.

18 THE DEFENDANT: Good morning.

19 THE COURT: Let's see. The last time we were here
20 was the first court appearance we had with Ms. Shroff and
21 Mr. Almeida both present, I guess since Ms. Shroff was
22 appointed, and Mr. Almeida was arraigned on the Superseding
23 Indictment. He also indicated that he was not happy with his
24 attorney and he wanted new counsel appointed and I didn't hear
25 good cause for a substitution based on what I heard from

PROCEEDINGS

1 Mr. Almeida. The conference there was suggesting that there
2 was sort of a personal preference for a different attorney but
3 it didn't sound to me like there was good cause for me to
4 replace counsel who had just been appointed, and at that
5 point, Mr. Almeida indicated he would prefer to go pro se than
6 to proceed with existing counsel.

7 So that's I think where we left it last time. There
8 were some other legal issues in the case we were trying to
9 address last time, as well, but I put on this conference to
10 address, I guess, the issue of Mr. Almeida's representation,
11 and we can do a *Faretta* inquiry if that's needed.

12 Mr. Almeida, I take it from Ms. Shroff that you
13 still don't want to proceed with Ms. Shroff; is that right?

14 THE DEFENDANT: Correct.

15 THE COURT: Okay. You know, as I indicated last
16 time, I am not just going to appoint new attorneys in
17 succession, and I didn't really hear, when we met last, a good
18 reason why you need new counsel, but if there's something more
19 that you want to tell me about that, I'm happy to excuse the
20 government and the other folks who are present in court if you
21 want to tell me about why that's necessary.

22 Does it make sense to do that?

23 Okay, so, Mr. Almeida is shaking his head no.

24 Go ahead.

25 MS. SHROFF: Your Honor, I do think that Mr. Almeida

PROCEEDINGS

1 has made an effort. We've made -- met several times at MDC
2 since our last court appearance. Far be it for me to tell the
3 Court what to do, but given the nature of these charges, the
4 mandatory minimum he faces, I would most respectfully, on his
5 behalf, ask the Court to let him have another lawyer. I think
6 going pro se on a matter like this would very much hurt him
7 and I -- if I have any influence over the Court, I would make
8 that request.

9 THE COURT: Okay.

10 I'm sorry to ask you to leave, but do you mind. I'd
11 like to speak to Mr. Almeida. So I'd just ask the other folks
12 who are present in the courtroom to leave for a moment.

13 So, there are other people who are present in the
14 courtroom. Can you step out for a moment so I can inquire
15 about attorney-client communications.

16 (Continues next page; sealed portion.)
17
18
19
20
21
22
23
24
25

SEALED BY ORDER OF THE COURT

1 [REDACTED] [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED] [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED] [REDACTED]

11 [REDACTED]

12 [REDACTED] [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED] [REDACTED]

17 [REDACTED] [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED] [REDACTED]

24 [REDACTED]

25 [REDACTED] [REDACTED]

SEALED BY ORDER OF THE COURT

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

[REDACTED]

(Continued on the following page.)

PROCEEDINGS

1 THE COURT: So, look, I mean, I will say I am
2 skeptical over whether there is good cause to appoint new
3 counsel here, but I'm going to appoint new counsel for
4 Mr. Almeida. Because of the seriousness of the charges and
5 out of a super-abundance of caution, I'm going to give
6 Mr. Almeida one more lawyer in this case. And then if we're
7 not able to proceed with that lawyer, it's -- I have never
8 appointed a fourth attorney for somebody, and from what I've
9 heard from Mr. Almeida, this doesn't seem like a circumstance
10 where that would be remotely appropriate. But I'll appoint
11 new counsel for Mr. Almeida and we'll see if that makes it
12 possible for Mr. Almeida to go forward with counsel because
13 I'm concerned about Mr. Almeida proceeding pro se in this case
14 given the seriousness of the charges.

15 I think we may have CJA counsel of the day here.
16 Great.

17 I'm not sure we've met.

18 MR. GREGORY: Samuel Gregory, Your Honor.

19 THE COURT: Okay. Great.

20 All right. So, I will relieve Ms. Shroff from this
21 case, thanks, and I'll appoint Mr. Gregory to replace
22 Ms. Shroff.

23 MS. SHROFF: Your Honor, just so the Court is aware,
24 I had provided a copy of the discovery to Mr. Almeida at MDC,
25 a hard copy and a drive. I will inform Mr. Gregory about

PROCEEDINGS

1 what, since this morning, of the discovery productions, and
2 I'm happy to, of course, assist with any other things that
3 would facilitate an easy transition, and I told Mr. Gregory
4 that I'm available. Thank you very much.

5 THE COURT: Great. I appreciate it.

6 So, I think where we are in this case is there was a
7 superseding indictment that was returned and we had one
8 conference after that where Mr. Almeida was arraigned on the
9 superseding indictment, and that's basically where we are.

10 The initial Indictment was a felon in possession
11 indictment and the Superseding Indictment adds charges of
12 sexual exploitation and attempted sexual exploitation of a
13 child, a Mann Act coercion and attempted coercion, and a
14 possession of child pornography.

15 Has all the discovery related to those additional
16 charges, or related to the case in general, been produced at
17 this point?

18 MR. CAMPOS: Your Honor, my understanding is that it
19 may not be all, but almost all has been provided. I
20 understand that there had been prior attempts to arrange the
21 defendant and his counsel to view the contraband discovery.
22 That -- my understanding is that that did not occur, and now
23 with Mr. Gregory, the government will arrange with him so that
24 it can be viewed.

25 THE COURT: Got it. Okay. This case has been

PROCEEDINGS

1 around since November 2021. So I know you're new to the case.
2 I want to try to kind of get us on a motion schedule, at
3 least, as soon as we can, but I want to, obviously, give you
4 time obviously to meet with Mr. Almeida and familiarize
5 yourself with the case.

6 Does it make sense to set it down for another
7 conference, and at that conference, we can talk about
8 scheduling for further proceedings in the case?

9 MR. GREGORY: Your Honor, I think that would be
10 smart. Yes.

11 THE COURT: All right. How long do you think makes
12 sense to set that out?

13 MR. GREGORY: Is five weeks too long, Judge?

14 THE COURT: That's fine.

15 THE COURTROOM DEPUTY: March 21st or 22nd, any time.

16 THE COURT: How about March 21st at 10:00?

17 MR. GREGORY: Fine.

18 THE COURT: So I will set this down for a conference
19 March 21st at 10:00, and I will exclude time between today and
20 March 21st to allow new counsel to familiarize himself with
21 the case, to discuss the case with his client, and to consider
22 the filing of any motions. And I'm expecting that on
23 March 21st, we'll try to set a schedule for further
24 proceedings. I don't want to rush counsel but I also want to
25 just get this case on a schedule.

PROCEEDINGS

1 Anything else the parties want to talk about today?

2 MR. CAMPOS: Not from the government.

3 THE COURT: Great.

4 MR. GREGORY: Thank you.

5 THE COURT: Thanks.

6 * * * * *

7 (Matter adjourned.)

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25